

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

**IN RE PAYMENT CARD INTERCHANGE FEE  
AND MERCHANT DISCOUNT ANTITRUST  
LITIGATION**

This document relates to:

WAL-MART STORES, INC., WAL-MART  
STORES TEXAS, LLC, WAL-MART STORES  
EAST, LP, WAL-MART STORES EAST, LLC,  
WAL-MART LOUISIANA, LLC, WAL-MART  
STORES ARKANSAS, LLC, SAM'S WEST, INC.,  
SAM'S EAST, INC., WAL-MART.COM USA,  
LLC, VUDU, INC., INKIRU, INC., OZARK  
SPIRITS, LLC, GREEN RIVER SPIRITS, LLC,  
and QUALITY LICENSING CORP.,

Case No. 14-MD-01720 (MKB) (JO)

Case No. 14-CV-02318 (MKB) (JO)

Plaintiffs,

v.

VISA U.S.A. INC., VISA INC., VISA  
INTERNATIONAL SERVICE ASSOCIATION,  
VISA EUROPE LIMITED and VISA EUROPE  
SERVICES INC.,

Defendants.

VISA U.S.A. INC., et al.

Plaintiffs,

v.

WAL-MART STORES, INC.,

Defendant.

Case No. 13-CV-3355 (MKB) (JO)

**STIPULATION AND PROPOSED ORDER**

WHEREAS, on September 16, 2014, the parties to all actions in MDL 1720 filed a “Proposed Opt-Out/Declaratory Judgment Action Discovery Plan and Case Schedule” (“Discovery Plan”) (ECF # 122-1);

WHEREAS, on September 23, 2014, a Status Conference was held before Magistrate Judge James Orenstein at which the Discovery Plan was approved (ECF # 127);

WHEREAS, on October 15, 2014, declaratory judgment plaintiffs Visa Inc., Visa U.S.A. Inc., and Visa International Service Association (collectively “Visa”) served Interrogatories and Requests for Production and Inspection of Documents on declaratory judgment defendant Wal-Mart Stores, Inc. in the matter of *Visa U.S.A. Inc., et al. v. Wal-Mart Stores, Inc.*, Case No. 13-CV-3355 (MKB) (JO);

WHEREAS, also on October 15, 2014, opt-out defendants Visa served Interrogatories and Requests for Production and Inspection of Documents on all opt-out plaintiffs in the matter of *Wal-Mart Stores, Inc., et al. v. Visa U.S.A. Inc., et al.*, Case No. 14-CV-02318 (MKB) (JO);

WHEREAS, the Discovery Plan sets forth dates of December 15, 2014; January 15, 2015; February 15, 2015; April 1, 2015; and April 15, 2015 on which the responding party must provide information responsive to various aspects of the discovery requests;

WHEREAS, in November and December, 2014, Visa and Wal-Mart conferred and agreed and stipulated to extend the deadlines cited above (and only those deadlines) by sixty (60) days with respect to the discovery requests served by Visa on October 15, 2014;

WHEREAS, the parties’ Stipulation and Proposed Order was approved by the Court on December 2, 2014 (ECF # 156);

WHEREAS, in February, 2015, Visa and Wal-Mart conferred and agreed and stipulated to extend the deadlines cited above (and only those deadlines) by an additional sixty (60) days with respect to the discovery requests served by Visa on October 15, 2014;

WHEREAS, the parties' Stipulation and Proposed Order was approved by the Court on February 9, 2015 (ECF # 201);

WHEREAS, Visa and Wal-Mart have conferred and have agreed and stipulated to extend the deadlines cited above (and only those deadlines) by an additional thirty (30) days with respect to the discovery requests served by Visa on October 15, 2014;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and between the undersigned attorneys for the parties:

1. The Discovery Plan deadlines of December 15, 2014; January 15, 2015; February 15, 2015; April 1, 2015; and April 15, 2015 on which the responding party must provide information responsive to various aspects of the discovery requests are extended by an additional thirty (30) days with respect to declaratory judgment defendant Wal-Mart Stores, Inc. in the matter of *Visa U.S.A. Inc., et al. v. Wal-Mart Stores, Inc.*, and all opt-out plaintiffs in the matter of *Wal-Mart Stores, Inc., et al. v. Visa U.S.A. Inc., et al.*

2. Nothing in this Stipulation and Proposed Order shall prejudice the parties' ability to seek leave of the Court for additional extensions of time in the future.

3. This Stipulation may be executed in counterparts and facsimile signatures shall be deemed valid and original signatures.

DATED: New York, New York  
April \_\_, 2015

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*Attorneys for opt out Defendants Visa Inc., Visa U.S.A. Inc., and Visa International Service Association*

So ordered:

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Hon. Margo K. Brodie

Dated: \_\_\_\_\_